



24024

PATENT TRADEMARK OFFICE

RECEIVED

JAN 03 2003

TECHNOLOGY CENTER R3700

Certificate of Mailing

I hereby certify that this correspondence is being deposited
on 12/23/02 with the United States Postal Service
with sufficient postage as first class mail in an envelope addressed to:
Assistant Commissioner for Patents
Washington, D.C. 20231

Typed or Printed name of person signing this certificate:

JACQUELINE K BOZAKSignature: Jacqueline K. Bozak

376/
L. Pa. Co
1-9-03
#5/Sup/1
IDS
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Richey, II

Examiner:

Serial No.: 09/967,274

Unit: 3761

Filed: September 27, 2001

For: **CARBON DIOXIDE-BASED
BI-LEVEL CPAP CONTROL**

Attorney Docket No.: 12873/04169

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This Supplemental Information Disclosure Statement is being filed to fulfill the duty
of candor and good faith toward the Patent and Trademark Office, as required pursuant to 37 C.F.R.
§ 1.56.

Listed on the attached PTO form 1449 is additional information which has come to
the attention of persons substantively involved in the preparation of the application identified above.

Copies of the references listed on the attached PTO Form 1449 are provided
herewith.

The identification of any information herein is not intended to be, and should not be understood as being, an admission that such information, in fact, constitutes "prior art" within the meaning of applicable law. The "prior art" status of any information is a matter to be resolved during prosecution.

Applicants hereby certify that references AB and AE contained in the Information Disclosure Statement were cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. For the remaining references, this Information Disclosure Statement is being filed before the receipt of the first Office Action. Accordingly, it is not believed that any fee is required relative to the filing of this Information Disclosure Statement. If this is not the case, the Patent Office is hereby authorized to charge any related fee to Deposit Account No. 03-0172.

Respectfully submitted,

By: Nenad Pejic
Nenad Pejic (Reg. No. 37,415)
(216) 622-8835